

AO 91 (Rev 8/01) Criminal Complaint

United States District Court  
Southern District of Texas  
FILED

## United States District Court

MAY - 8 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Bayron Daniel Martinez

AKA: Byron Daniel Martin

IAE YOB: 1987  
Honduras

(Name and Address of Defendant)

## CRIMINAL COMPLAINT

Case Number: M-19- 1046-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about May 7, 2019 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Mission, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Bayron Daniel Martinez was encountered by Border Patrol Agents near Mission, Texas on May 7, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on May 7, 2019, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on April 23, 2019 through El Paso, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On May 1, 2017, the defendant was convicted of 8 USC 1326 Removed Alien Found in the United States and sentenced to thirty (30) months confinement and two (2) years supervised release term.

Approved AUSA Michael Mitchell 5-8-19

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

May 8, 2019

Signature of Complainant

Cipriano Shears

Senior Patrol Agent it

Peter E. Ormsby

, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer